

Electronically Filed

DECLARATION UNDER 37 C.F.R. §1.132; AND MPEP 715.01(A)	Attorney Docket No.	STAN-353
	Confirmation No.	6761
	First Named Inventor	VOLOSHIN, ALEXEI M.
	Application Number	10/599,310
	Filing Date	October 20, 2008
	Group Art Unit	1637
	Examiner Name	Kim, Young J.
	Title:	"Protein Expression Yield Enhancement in Cell-Free Protein Synthesis Systems by Addition of Antifoam Agents"

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

I, Dr. James Swartz, do hereby declare as follows:

I am a co-inventor of the above captioned patent application. I am also a co-inventor of Calhoun et al. (US 2007/0154983 A1, published July 5, 2007, priority November 20, 2003). I have read and understood the Office Action of October 11, 2011.

The presently pending claims have been rejected under 35 U.S.C. 102(e) or 103(a) as anticipated or made obvious by the publication of U.S. Patent Application no. 2007/0154983 A1.

Calhoun *et al.* is assigned to Board of Trustees Leland Stanford Jr. University, which assignment is recorded at reel/frame 019016/0740. Similarly, Applicant has assigned the subject invention to Board of Trustees Leland Stanford Jr. University, which assignment has been duly recorded at Reel /Frame 019863/0270.

The cited publication describes and claims work developed by myself and co-inventors Kara Calhoun and Michael Jewett at Stanford University. The cited publication also describes,

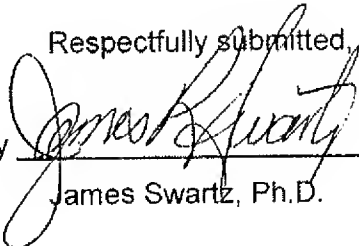
but does not claim, work developed by myself and Alexei Voloshin at Stanford University, which work is claimed in USSN 10/599,310.

Alexei Voloshin is properly named as a co-inventor of the present application, and is properly not named as an inventor to the claimed invention of U.S. Patent Application no. 2007/0154983 A1.

As set forth in MPEP §715.01(a), I hereby unequivocally assert that any subject matter described in U.S. Patent Application no. US 2007/0154983 A1 and relied on in the rejection was solely conceived and invented by myself and co-inventor Alexei Voloshin.

I hereby declare that all statements made herein of my own knowledge are true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Date: Feb 13, 2012

Respectfully submitted,  
By   
James Swartz, Ph.D.